

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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ANDERSEN MANUFACTURING, an  
Idaho corp.,  
Plaintiff,

vs.

DIVERSI-TECH, a Utah corp., ANGELA  
BUDGE, and PAUL BUDGE,  
Defendants.

MEMORANDUM DECISION AND  
ORDER GRANTING PLAINTIFF'S  
MOTION TO CONSOLIDATE AND  
CONSOLIDATING CASES

Case No. 2:07-CV-88 TS

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Plaintiff moves to consolidate this case with 2:05-CV-923 DB on the grounds that "it arises from the same nucleus of operative facts and will involve substantially the same witnesses, discovery, and issues of law."<sup>1</sup> Defendants' counsel agrees that the cases should be consolidated.

Having considered the factors set forth in DUCivR 42-1 for consolidation of cases, the Court finds that this case involves a patent that is a continuation of the patent at issue in 2:05-CV-923 DB. The Court further finds that the cases involve substantially the same

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<sup>1</sup>Pl.'s Mem. at 2.


parties, arise from the same or similar facts, and involve related patents. Based on the foregoing, the Court finds that the cases should be consolidated. It is therefore

ORDERED that Plaintiff's Motion to Consolidate (Docket No. 3) is GRANTED and this case is consolidated with 2:05-CV-923 DB. It is further

**ORDERED that no further documents be filed in this case and that all further documents shall be filed in Case No. 2:05-CV-923 DB.**

DATED May 3, 2007.

BY THE COURT:

  
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TED STEWART  
United States District Judge